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Attorney Docket No. GENO 200.2/CIP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: MESSIER *ET AL.*
SERIAL NO.: 09/942,252
FILED: August 28, 2001
TITLE: METHODS TO IDENTIFY
POLYNUCLEOTIDE AND
POLYPEPTIDE SEQUENCES
WHICH MAY BE ASSOCIATED
WITH PHYSIOLOGICAL AND
MEDICAL CONDITIONS

EXAMINER:

ART UNIT:

CNFRM NO.: 6811

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TECH CENTER 1600/2900

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being filed under 37 CFR § 1.97(b). This Statement is filed within at least one of the following time periods:

- (a) within three months of the filing date of a national application (other than a CPA under 37 CFR § 1.53(d));
- (b) within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application;
- (c) before the mailing of a first Office Action of the merits; or
- (d) before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114.

No fee is believed to be due in this instance. However, the undersigned hereby authorizes the charging of any fees created by the filing of this document to Deposit Account No. 19-5117.

37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231 on December 28, 2001

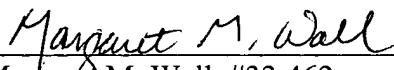
Signature:

Name:

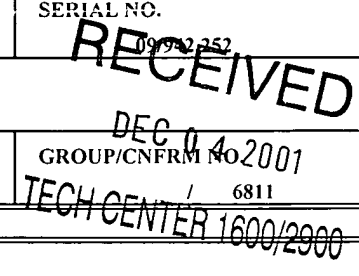
Cindy Bennett

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,


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303-268-0065 (FAX)

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 1 of 3	ATTY. DOCKET NO. GENO 200.2/CIP	SERIAL NO. 09792-252
	APPLICANT Messier <i>et al.</i>	
	FILING DATE August 28, 2001	GROUP/CNFRM NO 6811



U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB-CLS	FILE DATE
	AA	5,602,005	02/ 97	Herr <i>et al.</i>	435	69.3	
	AB						
	AC						
	AD						

FOREIGN PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	AE						
	AF						
	AG						
	AH						

		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)
	AI	Alter <i>et al.</i> (1984) <i>Science</i> 226:549-552
	AJ	Burger <i>et al.</i> (1994) <i>J. Mol. Evol.</i> 39:255-267
	AK	Edwards <i>et al.</i> (1995) <i>Molecular Ecology</i> 4:719-729
	AL	Endo <i>et al.</i> (1996) <i>Mol. Biol. Evol.</i> 13:685-690
	AM	Fultz <i>et al.</i> (1986) <i>Journal of Virology</i> 58:116-124
	AN	Goodman <i>et al.</i> (1990) <i>J. Mol. Evol.</i> 30:260-266
	AO	Goodwin <i>et al.</i> (1996) <i>Mol. Biol. Evol.</i> 13:346
	AP	Herbert <i>et al.</i> (1996) <i>Mol. Biol. Evol.</i> 13:1054-1057
	AQ	Hughes and Nei (1988) <i>Nature</i> 335:167-170
	AR	Hughes (1997) <i>Mol. Biol. Evol.</i> 14:1-5
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	AU	Kreitman and Akashi (1995) <i>Annu. Rev. Ecol. Syst.</i> 26:403-422
	AV	Lee <i>et al.</i> (1998) <i>Aids Research and Human Retroviruses</i> 14:1323-1328
	AW	Lee and Vacquier (1992) <i>Biol. Bull.</i> 182:97-104
	AX	Li <i>et al.</i> (1985) <i>Mol. Biol. Evol.</i> 2:150-174
	AY	Li (1993) <i>J. Mol. Evol.</i> 36:96-99
	AZ	Lienert and Parham (1996) <i>Immunol. Cell Biol.</i> 74:349-356
	AAA	Lyn <i>et al.</i> (1995) <i>Gene</i> 155:241-245
EXAMINER		DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.		

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 2 of 3	ATTY. DOCKET NO. GENO 200.2/CIP	SERIAL NO. 09/93/352
	APPLICANT Messier <i>et al.</i>	
	FILING DATE August 28, 2001	GROUP/CNFRM NO. 1600/2900

U.S. PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
	BA					
	BB					
	BC					
	BD					

FOREIGN PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	BE					
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BI	Malcolm et al. (1990) Nature 345:86-89
BJ	McDonald and Kreitman (1991) Nature 351:652-654
BK	Messier and Stewart (1994) Current Biology 4:911-913
BL	Messier and Stewart (1997) Nature 385:151-154
BM	Metz and Palumbi (1996) Mol. Biol. Evol. 13:397-406
BN	Nakashima et al. (1995) Proc. Natl. Acad. Sci. USA 92:5605-5609
BO	Nei and Hughes in Evolution at the Molecular Level, Sinauer Associates, Sunderland, MA, pp. 222-247 (1991)
BP	Niewiesk and Bangham (1996) J. Mol. Evol. 42:452-458
BQ	Novembre et al. (1997) Journal of Virology 71:4086-4091
BR	Parham and Ohta (1996) Science 272:67-74
BS	Sharp (1997) Nature 385:111-112
BT	Swanson & Vacquier (1995) Proc. Natl. Acad. Sci. USA 92:4957-4961
BU	Swanson and Vacquier (1998) Science 281:710-712
BV	Wettstein et al. (1996) Mol. Biol. Evol. 13:56-66
BW	Whitfield et al. (1993) Nature 364:713-715
BX	Wolinsky et al. (1996) Science 272:537-542
BY	Wu et al. (1997) J. Mol. Evol. 44:477-491
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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List of Information Cited by Applicant
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ATTY. DOCKET NO.
GENO 200.2/CIP

SERIAL NO.
09/942,252

APPLICANT
Messier *et al.*

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U.S. PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	NAME	CLS	SUB-CLS	FILE DATE
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FOREIGN PATENT DOCUMENTS							
EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB-CLS	TRANS ?
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CI	Li (1997) in Molecular Evolution, Sinauer Associates, Inc. Pub., Sunderland, MA, Table of Contents	
CJ	Nei (1987) in Molecular Evolutionary Genetics, Columbia University Press Pub., New York, NY, Table of Contents	
CK	Yang (1998) Mol. Biol. Evol. 15:568-573	
CL	Ann Gibbons, "Which of Our Genes Make Us Human?", Science, 4 September 1998, 281: 1432-1434, downloaded from website www.sciencemag.org.	
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